

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:

NEW ENGLAND COMPOUNDING
PHARMACY, INC.,

Chapter 11
Case No. 12-19882-HJB

Debtor

MOTION FOR LEAVE TO APPEAR TELEPHONICALLY

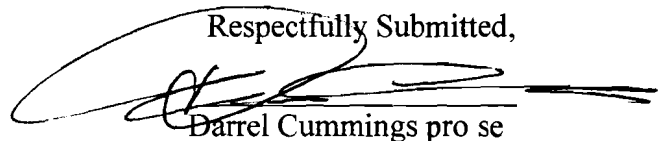
COMES NOW the, Creditor, Darrel Cummings, pro se, and hereby moves the Court for leave to appear telephonically and states:

1. On May 30, 2014, a hearing was held in the United States Bankruptcy Court where the United States Trustee presented his objections to the Court in regards to Creditor's Transfer Motion. However, none of the Trustee's objections was of any merits, with the exception of the venue pertaining to the Transfer of the "Cummings Action" from the United States District Court of Florida, to the United States District Court of Massachusetts.
2. At the hearing, Creditor appeared telephonically, on the face of the record, and informed the Court the U.S. Chapter 11 Trustee was **not** serving him notice pertaining to all the pleadings and proceeding, which the Transfer Motions became the topic of debate. This created a plethora of controversy about the removal and transfer of Creditor's case to the Multidistrict Court in the District of Massachusetts.

3. At the hearing, the Creditor sternly refuted the trustee's objections to his motion [Doc. 704]. On the face of the record, the Honorable U.S. Bankruptcy Judge Henry Boroff referred the "Cummings Action" to the Multi-District Litigation. He then ordered the Chapter 11 Trustee to forward Creditor all appropriate documents pertaining to the pending litigation to include the mailing address and telephone number for the chamber of Judge Rya Zobel of the United States District Court for the District of Massachusetts, presiding over NECC'S MDL. Last, he ordered the Creditor to submit the proper motion to have his case transferred to the United States Multi-District Court for the District of Massachusetts. Creditor submitted motion as ordered by the Honorable Boroff on the 10th day of July 2014.

WHEREFORE, Creditor, Darrel Cummings, respectfully requests the right to appear telephonically at a hearing schedule by this Court on _____, at _____am/pm in the United States District Court, Multi-District Litigations Court, Eastern District for Massachusetts, to address the issues surrounding Plaintiff's MOTION TO TRANSFER DEFENDANT(S) CEO BARRY CADEN, AND NEW ENGLAND COMPOUNDING CENTER, TO THE MULTI-DISTRICT LITIGATION COURT IN THE DISTRICT OF MASSACHUSETTS.

Respectfully Submitted,

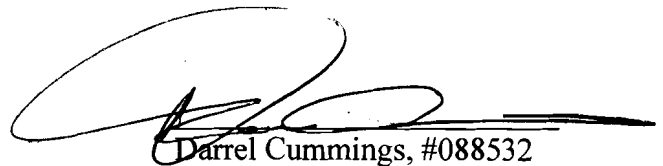


Darrel Cummings pro se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy was furnished to Counsel for Paul D. Moore (Frederick H. Fern, Esq. and Judi Abbott Curry, Esq.) at 100 Wall Street, 23rd Floor, New York, New York 10005 on this 7th day of August 2014 by Placement into the hands of Correctional Official for mailing via U.S. Mail.

**cc: United States District Court
Southern District of Florida**

A handwritten signature in black ink, appearing to read 'Darrel Cummings', is written over a horizontal line.

Darrel Cummings, #088532
South Bay Corr. Fac.
P. O. Box 7171
South Bay, FL 33493